

FRANKFORT/FRANKLIN COUNTY
PLANNING COMMISSION

MARCH 13, 2008
5:30 P.M.

CHAIRMAN KEITH LEE, PRESIDING

Vice-Chairman Keith Lee called the meeting to order. Recording Secretary Dianna Rogers called the roll.

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| Members Present: | Sherron Jackson | |
| | Patti Cross | |
| | Charles Booe | |
| | Charles Stewart | |
| | Annie Metcalf | |
| | Joe Sanderson | |
| | Erika Hancock | |
| | Brent Sweager | |
| | Keith Lee | (9) |
| Members Absent: | Darrell Sanderson | |
| | Dwayne Cook | (2) |

There being a quorum, the meeting proceeded.

A motion was made by Mr. Jackson to approve the minutes of the meeting of November 8, 2007. The motion was seconded by Mr. Booe and carried unanimously.

A motion was made by Mr. Jackson to approve the following bills, including amendment:

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|---|----------|--------|
| Dawn McDonald (BZA/Feb 2008) | \$ 75.00 | |
| Edwin Logan (BZA/Feb 2008) | | 600.00 |
| State Journal – advertising | 107.64 | |
| Logan & Gaines (Morris/Fiscal Court) | 10.00 | |
| Logan & Gaines (Lunsford/Fiscal Court) | 40.00 | |
| Logan & Gaines (Gilbert) | 87.50 | |
| Entran (Paddocks/Homestead Oakes traffic study) | 2,421.02 | |
| Positively Awarding (2 Plaques) | 130.00 | |
| Refund – Chad Peach (zone change) | 260.00 | |

December 2007 checks signed by Dwayne Cook and Patti Cross submitted for approval:

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|-------------------------------------|----------|--------|
| Dawn McDonald (BZA/November 2007) | 75.00 | |
| Dianna Rogers (PC/Oct & Nov 2007) | | 600.00 |
| Edwin Logan (PC/Nov 2007 - \$700) | | |
| Edwin Logan (BZAQ/Nov 2007 - \$550) | 1,250.00 | |
| State Journal – advertising | 124.00 | |

Bill Payment Addendums:

2007 BZA Board Member Payments:

| | |
|--------------------------------|--------|
| Kathy Peale | 175.00 |
| Barry Holder | 225.00 |
| Paul Looney | 125.00 |
| Mitch Buchanan | 225.00 |
| Joyce Honaker | 150.00 |
| David Jones | 125.00 |
| Ryan Sell | 100.00 |
| Joe Johnson | 50.00 |
| 2007 PC Board Member Payments: | |
| Sherron Jackson | 350.00 |
| Patti Cross | 550.00 |
| David Garnett | 450.00 |
| Charlie Booe | 550.00 |
| Dwayne Cook | 500.00 |
| Keith Lee | 450.00 |
| Annie Metcalf | 450.00 |
| Joel Schrader | 250.00 |
| Darrell Sanderson | 400.00 |
| Charles Stewart | 500.00 |
| Vickie Sewell | 200.00 |

The motion was seconded by Mr. Booe and carried unanimously.

Vice Chairman Lee introduced new Commission members Joe Sanderson, Erika Hancock and Brent Sweger.

There were no Reports of Officers or Standing Committees. Mr. Gary Muller stated the Zoning Ordinance Update Committee met on February 28 and recommended the Planning Commission hear discussion tonight regarding farm animals.

Under Reports of Special Select Committees, Mr. Jackson stated a slate of officers for 2008 was proposed as follows: Chairman Keith Lee, Vice-Chairman Patti Cross and Secretary-Treasurer Charlie Stewart. A motion was made by Mr. Jackson to accept the submittal of officers. The motion was seconded by Mr. Joe Sanderson and carried unanimously.

Under Special Orders, Mr. David Garnett was present and received a plaque from the Commission for his service to the Commission.

Under Staff Items, Mr. Gary Muller requested the Commission suspend the rules to allow more than two public hearings on the agenda. A motion was made by Mr. Jackson to suspend the rules to allow more than two public hearings tonight. The motion was seconded by Mr. Joe Sanderson and carried unanimously.

Also under Staff Items, Mr. Gary Muller and Mr. Robert Hewitt presented an update of the JLUS study and the need to establish a Policy Committee. Mr.

Muller stated the condition of the Planning Commission to participate was that the City and the County be responsible 50-50 to pay their halves of the 25%. Chairman Lee appointed Joe Sanderson and Brent Sweger to the committee to research and submit at least thirteen names to the Commission.

The next Staff Item was establishing a committee to review a budget for the 2008-2009 budget and fees for the Commission. The Chairman appointed the three officers, Mr. Muller and Mr. Hewitt to the committee.

The next Staff Item Mr. Muller submitted was training opportunities from KAPA and BGADD. Mr. Muller stated Commission members need 8 units per every two years. He passed out information regarding training.

The first item of new business was a request in accordance with Article 5, Section 5.03 of the Franklin County Zoning Ordinance, from the Benson Valley Landfill General Partnership for approval of an amended landscape plan of the previously approved development plan for the 211.26 acre parcel of property located at 2157 Highway 151, Frankfort, Kentucky, zoned E-ZL (Exclusive Use Zone for Landfill).

Mr. Robert Hewitt, County Planning Director sated the applicant is requesting to relocate a series of evergreen trees from the current straight line configuration to more closely match the contours of the property so as to presumably shield and buffer the landfill in a more effective manner at a higher elevation. Mr. Hewitt stated he felt the request was a more superior design and staff recommended approval.

Ms. Cross asked if Mr. Hewitt felt there were any negatives to this request. Mr. Hewitt stated no and said he felt this design screens better. Mr. Hewitt stated it would be three rows, staggered with the trees being spaced 15 on center on the front side. Mr. Logan asked if all of the trees from the previous request would remain or exceed the approval. Mr. Hewitt stated yes.

Mr. Dennis Kniff and Mr. Michael Darnell, Environmental Manager of the Landfill were present for the applicant. Mr. Kniff stated they met with the Huntington Woods residents and they wanted higher uphill screening. He added there were some drainage swales that can't be bothered. There was no one in the audience who spoke for or against regarding this request.

A motion was made by Mr. Joe Sanderson to approve the request as submitted. The motion was seconded by Ms. Cross and carried unanimously.

The next item of business was a request, in accordance with Part 7, Section 7.10 of the Frankfort/Franklin County Subdivision and Development Plan Regulations, from Eagle Development LLC for a modification to Section 3.03.02, subsection O to allow a cross access easement on the property identified as PVA map #086-00-00-020.00. The property is formerly known as 185 Old Versailles Road and is currently zoned CG – General Commercial.

Mr. Hewitt stated the property is adjacent to the Parkside development. He added the three lots proposed in the minor plat will all need access to the surrounding road system. He stated tract 1 gains access from its frontage on John David Drive, as well as a platted ingress and egress easement. Mr. Hewitt stated tract 2 and tract 3 share a 30' ingress and egress easement. He added the three tracts should be connected together in some way to allow movement between them and the developer is proposing to do so using access easements as opposed to dedicating ROW through the property. Mr. Hewitt stated prior to platting of Parkside there was an agreement to close Old Versailles Road and as a result there was an agreement to allow an access to Parkside. There was no one in the audience to speak in favor or in opposition to this request.

Mr. Sweger asked there was a breaking median on Jett Boulevard. Mr. Hewitt stated yes. Mr. Hewitt stated it allows thru traffic from one end of the site to the other. Mr. Booe stated he was concerned about the width of the road. Mr. Hewitt stated the road is proposed as ingress and egress as an easement.

Mr. Sanderson asked what is the width for the City to take over the right of way. Mr. Hewitt stated 40 is the smallest. Mr. Jackson asked what standard was used by the County Engineer for his recommendation. Mr. Hewitt stated he reviewed it at face value. Mr. Hewitt stated he used subsection a of Section 7 for review.

Mr. Morgan Dee was present on behalf of the applicant and stated there is a 10' fiber optic easement along the property and they were not getting close to that. He stated they were willing to change the easement from 24' to 30'. He stated it would act as a loop road. Mr. Logan asked Mr. Dee if he felt this was a superior alternative than before. Mr. Dee stated it would not adversely impact the area and would be an enhancement. He added the property would not be landlocked. Mr. Booe asked if the angle of the road would designate the line of the road. Mr. Logan stated they can restrict the road to delivery vehicles if necessary. Mr. Booe stated he was concerned about the turn radius for trucks. Mr. Dee stated there is a turn radius and it will make the access inside the radius of 45 degree minimum.

A motion was made by Mr. Sanderson, that based on the applicant satisfying #1 and #5 of the regulations, that the request be approved with a 30' easement with sufficient radius. The motion was seconded by Mr. Jackson and carried unanimously with Mr. Jackson, Ms. Cross, Mr. Booe, Mr. Stewart, Ms. Metcalf, Joe Sanderson, Ms. Hancock, Mr. Sweger and Mr. Lee voting in favor.

The next item of business was a public hearing from the Franklin County Planning Staff for approval of a text amendment to Sections 7.02.03 and 7.02.04 of the Frankfort/Franklin County Subdivision and Development Plan Regulations to add the Franklin County Road Superintendent as a member of both the Technical Review and Construction Review Teams.

The Secretary introduced the item and staff was sworn.

Mr. Hewitt stated he had no additions or deletions to his staff report. Mr. Logan requested the staff report be entered into the record in lieu of additional testimony. The record was entered per Chairman Lee. There was no one in the audience to speak in favor or in opposition to the request.

A motion was made by Mr. Jackson to close the public hearing and the staff report be adopted as the summary and action be taken tonight. The motion was seconded by Mr. Sweger and carried unanimously.

A motion was made by Mr. Jackson that based on the subcommittee report and the staff report that the amendment be adopted. The motion was seconded by Mr. Joe Sanderson and carried unanimously.

The next item of business was a public hearing request from the City of Frankfort Planning Staff for approval of a text amendment to Article 4, Sections 4.24 Central Business District; Section 4.40 Special Historic Districts; Section 4.41 Special Capital District and amending Article 17 Architectural Review Board of the City of Frankfort's Zoning Ordinance. More specifically, the request is to remove inconsistencies and duplications within Articles; to add mixed use, daycare, and bed and breakfast facilities as a conditional use; and to amend/clarify sections based on previous ARB actions.

The Secretary introduced the item and swore in City staff. Mr. Logan qualified Mr. Gary Muller, who stated he had a Vita on file. Mr. Muller stated there were no additions or deletions to the staff report. Mr. Logan requested the staff report be filed in lieu of additional testimony. The record was entered into the record by Chairman Lee.

Mr. Sweger asked if on page 31 dealing with mixed use if there was flexibility. Mr. Muller stated yes.

Mr. Joe Sanderson extended thanks to the City and County staffs and the Zoning Ordinance Update Committee. He stated more of these were needed.

There was no one in the audience to speak in favor or in opposition to the request.

A motion was made by Joe Sanderson to close the public hearing and accept the staff report as the summary and take action tonight. The motion was seconded by Mr. Sweger and carried unanimously.

Mr. Logan applauded the efforts of staff and the money savings.

A motion was made by Mr Jackson to approve the request based on the staff report and the item be forwarded to the City Commission. The motion was seconded by Mr. Joe Sanderson and carried unanimously.

The next item of business was a public hearing request from the City of Frankfort Planning Staff for a text amendment to Article 2, Section 2.043; Article 3 Definitions, Section 3.01 and Article 4, Section 4.01 and 4.06 of the City of Frankfort's Zoning Ordinance. Specifically, the request is to specify that up to two farm animals are allowed in any zoning district provided the property is at least five acres in size; to add definitions for farm animal and farm livestock; as well as, amending the use table in regards to farms with the IG and IC Districts.

The Secretary introduced the item. Mr. Muller stated there were no changes to the report. Mr. Logan requested the staff report be accepted into the record in lieu of additional testimony. The staff report was accepted into the record by Chairman Lee.

Mr. Sanderson stated if you want a farm animal move on a farm. He stated it was not fair to neighbors living in the City limits who don't like farm animals. Ms. Metcalf stated the problem is the definition of farm animals. Mr. Sanderson asked if exotic animals had been considered, such as reptiles, tigers, wildcats. Mr. Muller stated that is the next amendment. Mr. Muller stated there were to properties in the City limits zoned AG: Wilson's and near Martin Luther King Blvd; and Mystery Farm off of Blade Avenue. He stated it was grandfathered in and they have two or three horses.

There was no one in the audience to speak in favor or in opposition to the request.

A motion was made by Mr. Jackson to close the public hearing. The motion was seconded by Ms. Cross and carried unanimously.

A motion was made by Mr. Jackson that based on the discussion tonight the Commission remand the item back to the Zoning Ordinance Update Committee to develop a new proposal. The motion was seconded by Ms. Cross and carried unanimously.

As a point of interest, Mr. Booe stated he felt this should be a matter handled by City Ordinance and not the Zoning Ordinance.

Chairman Lee thanked the Commission for being elected Chairman. Chairman Lee extended condolences to former Planning Commission Bob Mason and his family on the recent death of his daughter in an auto accident.

There was no further business. A motion was made by Mr. Jackson and seconded by Joe Sanderson to adjourn. The motion carried unanimously.

Chairman Keith Lee

Recording Secretary Dianna Rogers